

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|-------------------------------------|---|------------------------------------|
| INTELLECTUAL VENTURES I LLC and |) | |
| INTELLECTUAL VENTURES II LLC, |) | Civil Action No. 1:14-cv-00220-MRH |
| |) | |
| Plaintiffs, |) | U.S. District Judge Mark R. Hornak |
| |) | |
| v. |) | <u>ELECTRONICALLY FILED</u> |
| |) | |
| ERIE FAMILY LIFE INSURANCE COMPANY; |) | |
| ERIE INDEMNITY COMPANY; |) | |
| ERIE INSURANCE COMPANY; |) | |
| ERIE INSURANCE EXCHANGE; |) | |
| ERIE INSURANCE PROPERTY & CASUALTY |) | |
| COMPANY; and |) | |
| FLAGSHIP CITY INSURANCE COMPANY, |) | |
| |) | |
| Defendants. |) | |

**[PROPOSED] ORDER GRANTING DEFENDANTS’
MOTION TO DISMISS PLAINTIFFS’ COMPLAINT**

For the reasons stated in the Defendants’ Motion to Dismiss Plaintiffs’ Complaint, the Court hereby **ORDERS** as follows:

1. Intellectual Ventures I LLC’s and Intellectual Ventures II LLC’s (collectively, “IV’s”) infringement claims with respect to U.S. Patent Nos. 6,519,581 and 6,510,434 are hereby dismissed, and all claims of those patents are hereby invalidated under 35 U.S.C. § 101;
2. IV’s direct infringement claims with respect to all patents are hereby dismissed for failure to state a proper claim under Federal Rule of Civil Procedure 12(b)(6);
3. IV’s indirect infringement claims with respect to all patents are hereby dismissed for failure to state a proper claim under Federal Rule of Civil Procedure 12(b)(6);
4. **[In the alternative to (2) and/or (3)]**

IV is directed to provide a more definite statement with respect to its direct and indirect infringement claims. Specifically, IV must enumerate each of defendant’s particular products

and services that it alleges directly infringe its patents and allegations regarding how those products or services infringe, as well as the factual bases for its indirect infringement claims.

IV's more definite statement must be served on Defendants no later than fourteen (14) days after the execution date of this order and Defendants will have twenty-one (21) days from service to answer or otherwise respond.

SO ORDERED this _____ day of _____, 2014

Mark R. Hornak
United States District Judge